IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Crl.Rev.Pet.No. 704 of 1998()

CRA.63/1996 of ADDL.SESSIONS COURT, KOZHIKODE
ST.5669/1995 of JUDL. MAGISTRATE OF FIRST CLASS-II, KOZHIKODE

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REVN. PETITIONER:

V.K.SREENIVASAN, AGED 50 YEARS,
PEON, SYNDICATE BANK, KOYILANDY BRANCH,
RESIDING IN KOYILANDY TALUK, KOZHIKODE DISTRICT

BY ADV. SRI.CYRIAC THOMAS

RESPONDENTS/ RESPONDENT - COMPLAINANT:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

2. BALAKRISHNAN

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

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Crl. R.P.No.704 of 1998-B

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Dated this the 23rd day of November, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo rigorous imprisonment for three months and to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for one month.

2. The counsel for the revision petitioner has only sought for modification of sentence. In the circumstances, the conviction is confirmed and the sentence imposed for the offence under Section 138 N.I.Act is modified to imprisonment till the rising of the court and to pay a compensation of rupees twenty-five thousand and in default to undergo simple imprisonment for one month. The revision petitioner/accused is granted three months time to remit the compensation amount. The accused shall appear before the Judicial Magistrate of the First Class-II, Kozhikode, on 23/02/2008 to receive the sentence. The criminal revision petition is disposed of as above.

Sd/-
K.R.UDAYABHANU,
Judge

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P.A.to Judge